

## **Plan Summary**

**Title:** Clean Data Determination/Design Values 2012- 2014 - Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Moderate Nonattainment Area

**Federal Register Date:** June 1, 2015

**EPA Effective Date:** This EPA initiated final rule was effective on July 1, 2015

**Affected Area(s):** **Baltimore, Maryland Moderate Ozone Nonattainment Area** - Baltimore Area (specifically, Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, and Howard County)

### **Background of the Plan:**

On March 12, 2008, EPA revised both the primary and secondary NAAQS for ozone to a level of 0.075 parts per million (ppm) (annual fourth-highest daily maximum 8-hour average concentration, averaged over three years) to provide increased protection of public health and the environment. 73 FR 16436 (March 27, 2008).<sup>1</sup> The 2008 ozone NAAQS retains the same general form and averaging time as the 0.08 ppm NAAQS set in 1997, but is set at a more protective level. On May 21, 2012 (77 FR 30088), effective July 20, 2012, EPA designated as nonattainment any area that was violating the 2008 8-hour ozone NAAQS based on the three most recent years (2008–2010) of air monitoring data. The Baltimore Area (specifically, Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, and Howard County) was designated as a moderate ozone nonattainment area. Moderate areas are required to attain the 2008 8-hour ozone NAAQS by no later than six years after the effective date of designations, or July 20, 2018.

### **Summary:**

Air quality monitoring data from the 2012–2014 monitoring period indicate that the Baltimore Area is now attaining the 2008 8-hour ozone NAAQS. On March 18, 2015 (80 FR 14041), EPA published a notice of proposed rulemaking (NPR), which proposed to determine that the Baltimore Area has attained the 2008 8-hour ozone NAAQS. Under the provisions of 40 CFR 51.1118,<sup>2</sup> also known as EPA's Clean Data Policy, a determination by EPA that an area is attaining the relevant standard (through a rulemaking that includes public notice and comment) suspends the area's obligations to submit an attainment demonstration, RACM, RFP, contingency measures and other planning requirements related to attainment of the 2008 8-hour ozone NAAQS for as long as the area continues to attain the standard.

This suspension remains in effect until such time, if ever, that EPA (i) redesignates the area to attainment at which time those requirements no longer apply, or (ii) subsequently determines that the area has violated the 2008 8-hour ozone NAAQS. Although these requirements are suspended, EPA remains obligated under section 110(k)(2) to act upon these elements at any time if submitted to EPA for review and approval.

**Conclusion:**

EPA has reviewed the complete, quality-assured and certified ozone ambient air monitoring data for the monitoring period for 2012–2014 for the Baltimore Area. The design values for each monitor for the years 2012–2014 are less than or equal to 0.075 ppm which is the 2008 ozone NAAQS level, and all monitors meet the data completeness requirements

Based on this 2012–2014 data from EPA’s Air Quality System (AQS) database and consistent with the requirements contained in 40 CFR part 50, EPA has concluded that this Area has attained the 2008 8-hour ozone NAAQS.

**2012–2014 BALTIMORE AREA 2008 8-HOUR OZONE DESIGN VALUES**

<b>Monitor ID</b>	<b>Average percent data completeness</b>	<b>2012–2014 Design value (ppm)</b>
24–003–0014 .....	97	0.074
24–005–1007 .....	95	0.072
24–005–3001 .....	99	0.072
24–013–0001.....	99	0.069
24–025–1001 .....	98	0.075
24–025–9001 .....	96	0.073
24–510–0054.....	90	0.064

EPA has determined that the Baltimore Area has attained the 2008 8-hour ozone NAAQS. This determination is based upon complete, quality assured, and certified ambient air monitoring data that show the Baltimore Area has monitored attainment of the 2008 8-hour ozone NAAQS for the 2012–2014 monitoring period.

**This determination suspends the requirement for Maryland to submit an attainment demonstration for the Baltimore Area, RACM, a RFP plan, contingency measures, and other planning requirements related to attainment of the 2008 8-hour ozone NAAQS for so long as the Baltimore Area continues to attain the 2008 8-hour ozone NAAQS.**

**Therefore, the designation status of the Baltimore Area will remain nonattainment for the 2008 8-hour ozone NAAQS until such time as EPA takes final rulemaking action to determine that the Baltimore Area meets the CAA requirements for redesignation to attainment. Finally, this determination does not relieve other CAA requirements that are not related to attainment planning and achievement of the NAAQS such as an emissions inventory as required by CAA section 172(c)(3) of a nonattainment area permitting program pursuant to CAA sections 172(c)(5) and 173.**

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